

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**MICHAEL DREWS,**

Plaintiff,

v.

**Case No. 20-CV-154**

**CARY SMITH,**

Defendant.

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**ORDER**

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Plaintiff Michael Drews, a Wisconsin state prisoner representing himself, filed this civil rights case under 42 U.S.C. § 1983. United States District Judge Lynn Adelman screened the complaint under 28 U.S.C. § 1915A and allowed Drews to proceed on a claim that defendant Dr. Cary Smith violated his right to privacy by disclosing his personal, mental health information to other inmates. (Docket # 10.) Although this case is assigned to Judge Adelman, on April 24, 2020, Judge Adelman referred the case to this court to handle pretrial proceedings. (Docket # 11.) Drews has filed a request for an order directing Green Bay Correctional Institution (Green Bay) to give him copies of documents so that he can provide them to the defendant pursuant to the defendant's discovery request. (Docket # 15.)

In support of his request, Drews says that Green Bay will not give him the documents that the defendant has requested. In the Screening Order, Judge Adelman ordered that parties should not begin discovery until after the court enters a

scheduling order setting deadlines for discovery and dispositive motions. (Docket # 10 at 6.) The court has not yet entered a scheduling order – it will do so once the defendant files a responsive pleading to the complaint – and, therefore, the parties should not be engaging in discovery at this time. Thus, Drews’ request is premature, and I will deny it without prejudice. Drews may renew his request, if needed, once discovery has started. I encourage the parties to work cooperatively to conduct discovery, if possible, without court involvement.

**THEREFORE, IT IS ORDERED** that Drews’ motion for order for documents (Docket # 15) is **DENIED WITHOUT PREJUDICE**.

**IT IS FURTHER ORDERED** that a party may serve and file objections to this order within fourteen days of being served with the order. *See* Fed. R. Civ. P. 72(a). The district judge will consider a timely objection and will modify or set aside this order or any part of this order only if it is clearly erroneous or contrary to law.

Dated at Milwaukee, Wisconsin, this 22nd day of May, 2020.

**BY THE COURT:**

*s/Nancy Joseph*  
NANCY JOSEPH  
United States Magistrate Judge